



GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Allegation of corruption against Sri K.Venkateswarlu, Office Subordinate, O/o Joint Director, Fisheries, Nellore - Trapped on 21.5.2008 – Sanction of Prosecution – Revised Orders – Issued.

ANIMAL HUSBANDRY DAIRY DEVELOPMENT & FISHERIES (Vig) DEPARTMENT

G.O.Ms.No. 70

Dated: 6.10.2009.
Read:-

1.G.O.Ms.No.17, AHDD & F (VS) Department, dt: 23.3.2009.

ORDER:

Whereas, Sri K.Venkateswarlu, “worked as” Office Subordinate, O/o Joint Director, Fisheries, Nellore from 1-9-2004 to 30-5-2008 and by virtue of the post held by him, he falls under the category of ‘Public Servant’ as defined Under Section 2 (c) of the Prevention of Corruption Act, 1988 (Act 49 of 1988);

2) And Sri T.Ramesh, S/o Bujjaiah, President, Kovur Vahini Fishermen Co-operative Society, Nellore district is the defacto complainant;

3) And whereas, Sri T.Ramesh came to Anti-Corruption Bureau Office, Nellore and presented a report stating that he was elected as President of Kovur Vahini Fishermen Co-operative Society, Kovur in the year 2005. The Joint Director, Fisheries Department used to give lease orders to their society only for fishing in the Public Works Department Tank, Kovur since a long time. The society was due Rs.16,987/- and Rs.14,000/- towards lease and seed respectively to the Fisheries Department for Fasli year 1416. While so, on 8-3-2008 an application was submitted by the complainant to Sri G.V.L.Narasimha Rao, Joint Director, Fisheries, Nellore on behalf of the Fishermen Co-operative Society for lease order pertaining to this year i.e., Fasli 1417 and while submitting the application they also mentioned about amount due of Rs.37,300/- and undertaken to pay the same after issuance of lease order. Sri G.V.L.Narasimha Rao informed that the lease order would be given only after clearance of the old dues. Then, Sri T.Ramesh paid old dues of Rs.16,987/- and Rs.14,000/- on 2.4.2008 and 15.4.2008 respectively and informed the same to Sri G.V.L.Narasimha Rao. On 16.4.2008 and 17.4.2008 Sri T.Ramesh met Sri G.V.L.Narasimha Rao and enquired about the issuance of lease order. Sri G.V.L.Narasimha Rao informed him that the file would be sent to Fisheries Development Officer, Padugupadu. Then, again defacto complainant approached Sri G.V.L.Narasimha Rao on the same day evening i.e., on 17.4.2008. Sri G.V.L.Narasimha Rao demanded Sri T.Ramesh to pay Rs.5,000/- as formality for issuing lease orders. Again on 23.4.2008, Sri T.Ramesh made a phone call to Sri G.V.L.Narasimha Rao. Sri G.V.L.Narasimha Rao informed Sri T.Ramesh to meet him with demanded amount, if he wants to get lease order early. On 25.4.2008, when Sri T.Ramesh again met Sri G.V.L.Narasimha Rao at his Office, he enquired him whether he brought the demanded amount and if so to keep the amount in the wooden alimirah. Then Sri T.Ramesh replied that he could not get the amount and replied that he would meet later and returned from the office;

4) And whereas, it is further alleged that Sri T.Ramesh, who was not willing to pay the bribe to Sri G.V.L.Narasimha Rao approached the Deputy Superintendent of Police, Anti-Corruption Bureau, Nellore and gave a report. The Deputy Superintendent of Police, Anti-Corruption Bureau registered a case in Cr.No.9/RCT-NLR/08 after due verification.

P.T.O.

5) And whereas it is further alleged that on 21.5.2008, the Deputy Superintendent of Police, Anti-Corruption Bureau, Nellore along with his staff, two mediators and complainant left the Office of the Deputy Superintendent of Police, Anti-Corruption Bureau, Nellore at 12.30 PM reached the office of the Joint Director, Fisheries, Nellore and came to know that Sri G.V.L.Narasimha Rao was on camp and would come back after lunch. Then all the team members returned to Office of the Deputy Superintendent of Police, Anti-Corruption Bureau, Nellore. Again at about 4.00 PM all the above trap party members including Sri T.Ramesh and mediators left the Anti-Corruption Bureau Office and reached near the O/o Sri G.V.L.Narasimha Rao at 4.15 pm. Sri T.Ramesh met Sri Balaramaiah, Assistant Director, Fisheries who informed him to meet the Joint Director at DRDA Office, Collectorate, Nellore. Then all of them reached Collectorate by 5.40 PM. At 6.00 PM Sri T.Ramesh met Sri K.Venkateswarlu, Attender of Joint Director Office and enquired about lease order and he informed him that he was ready with bribe amount demanded by Sri G.V.L.Narasimha Rao and asked Sri K.Venkateswarlu to inform the same to Sri G.V.L.Narasimha Rao. After about thirty minutes, the Office Superintendent Sri Venkateswara Rao brought the lease order file of T.Ramesh and some other files and handed over the files to Sri K.Venkateswarlu asking him to hand over the same to Sri G.V.L.Narasimha Rao and went to treasury office. Then, after 7.00 pm, Sri K.Venkateswarlu informed Sri T.Ramesh that he was called by Sri G.V.L.Narasimha Rao and asked him to go to first floor to meet Sri G.V.L.Narasimha Rao in verandah. Sri G.V.L.Narasimha Rao stated that he signed on the lease order and asked him by saying 'have you arranged'. On his reply G.V.L.Narasimha Rao told him to hand over the bribe amount to Sri K.Venkateswarlu and further informed him to collect the lease order from Gita Kumari, Senior Assistant in the office the next day. As per the instructions of Sri G.V.L.Narasimha Rao, Sri K.Venkateswarlu collected the bribe amount of Rs.5,000/- from Sri T.Ramesh in empty file wrapper without touching the amount with his hands by saying that "days are not good" and kept it in his motorcycle tank cover. Sri T.Ramesh informed the same to the Inspector. When Sri K.Venkateswarlu was ready to leave the place on his motor cycle, Inspector of Anti-Corruption Bureau, Nellore, one Police Constable and the 2nd mediator intercepted Sri K.Venkateswarlu and stopped him. On information by the Inspector, Deputy Superintendent of Police and other trap team reached the spot. As it was dark then, Sri K.Venkateswarlu was brought along with his TVS motorcycle bearing No.AP 26 AA 1510 to the DT Office, Nellore for further proceedings. Then, the Deputy Superintendent of Police got prepared sodium carbonate solution and asked Sri K.Venkateswarlu to rinse his both hand fingers one by one in two different sodium carbonate solutions in glass tumblers and upon doing so no colour change was noticed in both the glass tumblers. On enquiry about the bribe amount given by Sri T.Ramesh, Sri K.Venkateswarlu took out a file wrapper from motorcycle tank cover in the presence of mediators and produced before the Deputy Superintendent of Police. Then on the instructions of the Deputy Superintendent of Police, one of the mediators received the said currency notes and compared them, found tallied with the numbers mentioned in Mediator Report No.1. On a swab test to the file wrapper where the tainted currency notes were found, the same yielded positive result. Then the Deputy Superintendent of Police seized the tainted bribe amount of Rs.5,000/-. The Deputy Superintendent of Police questioned as to what transpired between Sri K.Venkateswarlu, Sri G.V.L.Narasimha Rao and Sri T.Ramesh, and recorded their statements. While drafting the post-trap proceedings in the Office of District Treasury Office, Nellore Sri G.V.L.Narasimha Rao escaped from the scene of offence. The above proceedings were reduced into writing in the form of Mediator Report No.2 in the presence of the two mediators who attested the Mediator Report No.2 to that effect;

6) And whereas, the above said acts of Sri K.Venkateswarlu, Office Sub Ordinate, O/o Joint Director, Fisheries, Nellore constitute offences punishable under section 12 of the Prevention of Corruption Act, 1988 (Act 49 of 1988);

7) And whereas, the Government of Andhra Pradesh being the competent authority to remove the said Sri K.Venkateswarlu, Office Sub-Ordinate, O/o Joint Director of Fisheries, Nellore from the service after fully and carefully examining the material i.e., Final Report, Copy of the First Information Report, Copies of Mahajars, Gist of the statements of the witnesses and other documents placed before them in respect of the aforesaid allegation and having regard to the circumstances of the case and having satisfied prima-facie evidence and facts on record that the above said Sri K.Venkateswarlu, Office Subordinate, Office of Joint Director, Fisheries, Nellore should be prosecuted in a Court of Law for the afore said offence.

8) Now, therefore in exercise of the powers conferred by clause (b) of sub-section (1) of section 19 of the Prevention of Corruption Act, 1988 (Central Act, 49 of 1988) and in supersession of the orders issued in G.O.Rt.No.17, Animal Husbandry Dairy Development & Fisheries (VS) Department, dt: 23.3.2009 the Government of Andhra Pradesh hereby accord sanction for the prosecution of the said Sri K.Venkateswarlu, Office Subordinate, O/o Joint Director, Fisheries, Nellore for the offences punishable under section 12 of the Prevention of Corruption Act, 1988 (Central Act, 49 of 1988) and for any other cognate offences punishable under any other provisions of law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offences by a Court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(Dr.PRIYADARSHI DASH)

SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Director-General,
Anti-Corruption Bureau,
Andhra Pradesh,
Hyderabad.

Copy to: Law (B) Department.

//FORWARDED BY ORDER//

SECTION OFFICER